

House Engrossed

FILED

**KEN BENNETT
SECRETARY OF STATE**

State of Arizona
House of Representatives
Fiftieth Legislature
First Regular Session
2011

CHAPTER 15

HOUSE BILL 2197

AN ACT

AMENDING SECTION 15-189.01, ARIZONA REVISED STATUTES; RELATING TO SCHOOL SITES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 15-189.01, Arizona Revised Statutes, is amended to
3 read:

4 15-189.01. Charter schools; zoning; development fees

5 A. Charter schools shall be classified as public schools for the
6 purposes of zoning and the assessment of zoning fees, site plan fees and
7 development fees. Municipalities and counties shall allow a charter school
8 to be established and operate at a location or in a facility in which schools
9 operated by school districts are not prohibited by the zoning regulations of
10 the county or municipality, except that a county or municipality may adopt
11 zoning regulations that prohibit a charter school from operating in an
12 existing single family residence that is located on property of less than an
13 acre.

14 B. A charter school is subject to the same level of oversight and the
15 same ordinances, limitations and requirements, if any, that would be
16 applicable to a school that is operated by a school district.

17 C. The construction and development of the charter school facility
18 shall be subject to the building codes, including life and safety building
19 codes, of the municipality, county or state.

20 D. Municipalities and counties shall adopt procedures to ensure that
21 hearings and administrative reviews involving charter schools are scheduled
22 and conducted on an expedited basis and that charter schools receive a final
23 determination from the municipality or county within thirty days of AFTER the
24 beginning of processes requiring only an administrative review and within
25 ninety days of AFTER the beginning of processes requiring a public hearing
26 and allowing an appeal to a board of adjustment, city or town governing body
27 or board of supervisors.

28 E. EXCEPT AS PROVIDED IN SUBSECTION F, no political subdivision of
29 this state may enact or interpret any law, rule or ordinance in a manner that
30 conflicts with subsection A.

31 F. NOTWITHSTANDING SUBSECTIONS A AND B, A CHARTER SCHOOL SHALL NOT BE
32 ESTABLISHED OR OPERATED ON COMMERCIAL OR RESIDENTIAL PROPERTY IN AN AGE
33 RESTRICTED COMMUNITY THAT IS LOCATED IN UNORGANIZED TERRITORY.

34 Sec. 2. Emergency

35 This act is an emergency measure that is necessary to preserve the
36 public peace, health or safety and is operative immediately as provided by
37 law.

APPROVED BY THE GOVERNOR APRIL 6, 2011.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 7, 2011.

Passed the House February 14, 2011

Passed the Senate April 5, 2011

by the following vote: 50 Ayes,

by the following vote: 24 Ayes,

10 Nays, 0 Not Voting

4 Nays, 2 Not Voting

With Emergency
Speaker of the House

With Emergency
President of the Senate

Cheryl Laube
Chief Clerk of the House

Charmin Bellinger
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill received by the Governor this

6 day of April, 2011

at 10:30 o'clock A. M.

Michelle Bondce
Secretary to the Governor

Approved this 6th day of

April

at 4:36 o'clock P. M.

Janice K. Brewer
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill received by the Secretary of State

this 7th day of April, 2011

at 12:18 o'clock P. M.

Ken Blumenthal
Secretary of State

H.B. 2197